

EXHIBIT A

IN THE CIRCUIT COURT OF SHELBY COUNTY, TENNESSEE
FOR THE THIRTIETH JUDICIAL DISTRICT AT MEMPHIS

**JANIS ANN FORD for the
ESTATE OF OSHAUN FORD**
Plaintiff,

v.

**DELTA BUS LINES and MARTHA
WILSON**

Defendants.

Docket No. _____

Division _____

COMPLAINT

Plaintiff, Oshaun Ford ("Plaintiff") by and through counsel, files this Complaint against Defendants Martha Wilson and the Delta Bus Lines ("Defendants") for personal injuries and damages, and states the following:

PARTIES

1. Plaintiff Oshaun Ford is an adult resident of Shelby County, Tennessee.
2. Upon information and belief, Defendant Martha Wilson is an adult resident of Washington County, Mississippi, and resides at 1298 Wayside Drive, Greenville, Mississippi 38703.
3. Upon information and belief, Delta Bus Lines, the employer of Martha Wilson, is the owner of the 2019 PREO Bus that Defendant Wilson was driving at the time of the crash, and they are located at 3107 Highway 82, East Greenville, Mississippi 38703.

JURISDICTION AND VENUE

4. This cause of action arises in tort out of personal injuries and damages incurred as a result of a motor vehicle crash in Shelby County, Tennessee, on or about September 30, 2021;

5. This Court is the proper venue because the crash that gives rise to this suit occurred in Shelby County, Tennessee;

6. This Court has *in personam* jurisdiction over the defendants because the acts and omissions giving rise to this car crash were committed in the State of Tennessee against a resident of the State of Tennessee.

7. This Court has subject matter jurisdiction over this matter because Tennessee Code Annotated section 16-10-101 makes this Court a court of general jurisdiction.

8. This suit is timely filed because it was filed before the statute of limitations became an issue, since the car crash that gives rise to this suit occurred on September 30, 2021.

STATEMENT OF FACTS

9. At all pertinent times, Plaintiff Oshaun Ford was the operator of the 2005 General Savanna Van, VIN number: 1GDHG31U651911268, and operated this car in a safe, cautious, and prudent manner, obeying all of the rules and regulations of the roadway and acting when he had the right-of-way.

10. Upon information and belief, Defendant Wilson was the operator of the 2019 PREO Bus, VIN number: 4RKG33496K9737548, and caused the accident at issue in this Complaint.

11. On September 30, 2022, Plaintiff Ford was travelling eastbound on Brooks Road arriving at the I-55 ramp.

12. Suddenly, the defendant driving westbound on Brooks Road turned in front of and crashed into Plaintiff Ford.

13. The front of Defendant's car struck the front of the Plaintiff Ford.

14. As a direct and proximate result of Defendant's actions, Plaintiff Ford sustained personal injuries among other damages and now seeks compensation.

CAUSES OF ACTION

Count I - Negligence

15. Plaintiff incorporates by reference all prior allegations contained in this Complaint.
16. Under the law, Defendant owed a duty to Plaintiff to operate his vehicle in a prudent safe manner, exercising reasonable care.
17. Defendant violated this duty by:
- (a) Failing to use that degree of care and caution in the operation of his vehicle that is required of a reasonable and prudent person under the same or similar circumstances;
 - (b) Failing to maintain a safe lookout;
 - (c) Failing to devote full time and attention to the operation of his vehicle;
 - (e) Driving in a reckless manner;
 - (f) Other acts and omissions to be shown at the trial of this cause.
18. As a direct and proximate result of Defendant's breach of duty, Plaintiff Ford suffered injuries.

Count II – Negligence *Per Se*

19. Plaintiff incorporates by reference all prior allegations contained in this Complaint.
20. Defendant violated the following statutes of the State of Tennessee, which are currently in force:
- (a) Tenn. Code Ann. § 55-8-136: Due Care; and
 - (b) Tenn. Code Ann. § 55-10-205: Reckless Driving.
21. Defendant violated the following ordinances of the City of Memphis, which are currently in force:

- (a) Memphis, Tennessee, Municipal Code § 11-16-2: Duty to Devote Full Time and Attention to Operating a Vehicle;
- (b) Memphis, Tennessee, Municipal Code § 11-16-3: Duty to Drive at a Safe Speed, Maintain Lookout, and Keep Vehicle Under Control; and
- (c) Memphis, Tennessee, Municipal Code § 11-16-44. Reckless Driving.

Count III – Joint Enterprise and Negligent Entrustment

22. Plaintiff incorporates by reference all prior allegations contained in this Complaint.

23. Defendant Wilson was driving the automobile owned by Defendant Delta Bus Lines with the express permission of Defendant Delta Bus Lines, for the purpose of furthering a business interest.

24. Plaintiff alleges that Defendant Delta Bus Lines negligently entrusted the use of its vehicle to Defendant Wilson.

25. That Defendant Delta Bus Lines knew or should have known of Defendant Wilson's propensity to drive in an illegal, unlawful, or negligent manner.

26. Thus, Defendants are jointly and severally liable to Plaintiff Ford for all damages proximately caused by the aforementioned acts of negligence and negligence per se.

INJURIES AND DAMAGES

27. As a direct and proximate result of Defendants' aforementioned breaches of duty, Plaintiff sustained injuries and damages which include:

- (a) reasonable and necessary past present and future medical expenses for physical injuries;
- (b) temporary and permanent impairment, disability, and inconvenience;

- (c) past, present, and future physical pain and suffering;
- (d) past, present, and future mental anguish and emotional distress;
- (e) past, present, and future loss of quality and enjoyment of life;
- (f) lost wages and future earning capacity;
- (g) transportation expenses to and from healthcare providers, and other out-of-pocket expenses; and
- (h) other damages to be proven at trial.

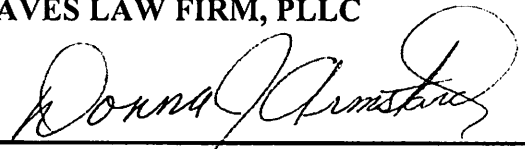
The medical bills have been attached as Exhibit A so that Plaintiff can use the presumptions of Tennessee Code Annotated 24-5-113.

REQUEST FOR RELIEF

For the aforementioned reasons, Plaintiff respectfully requests judgment against Defendants for compensation in the amount of Three Hundred Thousand Dollars (\$300,000.00) and for all other relief as this Court deems just. Plaintiff requests that he be awarded pre- and post-judgment interest from September 30, 2021, until a final adjudication on the merits of this cause

Respectfully submitted,

REAVES LAW FIRM, PLLC



DONNA J. ARMSTARD

B.P.R. #014234

Attorneys for Plaintiff

1991 Corporate Avenue, Suite 310

Memphis, Tennessee 38132

(901) 417-7166 (phone)

(901) 328-1352 (fax)

Donna.Armstard@beyourvoice.com

CERTIFICATE OF SERVICE

I, the undersigned, certify that a true and correct copy of the foregoing has been served via U.S. Mail, electronic filing, or electronic mail upon the following, giving notice to all parties of record:

Martha Wilson
1298 Wayside Drive
Greenville, Mississippi 38703

Delta Bus Lines
3107 Highway 82
East Greenville, Mississippi 38703

A handwritten signature in cursive script, reading "Donna J. Armstard".

DONNA J. ARMSTARD

(TN Bar #014234)

SUMMONS IN CIVIL ACTION

Docket No. CT-3873-22

☒ Lawsuit
☐ Divorce

Ad Damnum \$ _____

JANIS ANN FORD for the ESTATE OF
OSHAUN FORD

DELTA BUS LINES and MARTHA WILSON

VS

Plaintiff(s)

Defendant(s)

TO: (Name and Address of Defendant (One defendant per summons))

JOSEPH HOWARD registered agent for
DELTA BUS LINES, INC.
1606 North State Street.
P.O. BOX 1214
Clarksdale, MS 38614

Method of Service:

- ☐ Certified Mail
☐ Shelby County Sheriff
☐ Commissioner of Insurance (\$)
☐ Secretary of State (\$)
☐ Other TN County Sheriff (\$)
☒ Private Process Server
☐ Other

(\$ Attach Required Fees

You are hereby summoned and required to defend a civil action by filing your answer with the Clerk of the Court and

serving a copy of your answer to the Complaint on Donna Armstard, Esq.

Plaintiff's

attorney, whose address is 1991 Corporate Avenue, Suite 310, Memphis, TN 38132

telephone 901-417-7166

within THIRTY (30) DAYS after this summons has been served upon you, not including the day of service. If you fail to do so, a judgment by default may be taken against you for the relief demanded in the Complaint.

TEMIKA D. GIPSON, Clerk / DONNA RUSSELL, Clerk and Master

TESTED AND ISSUED _____ By _____, D.C.

TO THE DEFENDANT:

NOTICE; Pursuant to Chapter 919 of the Public Acts of 1980, you are hereby given the following notice:

Tennessee law provides a ten thousand dollar (\$10,000) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the Clerk of the Court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed. These include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

FOR AMERICANS WITH DISABILITIES ACT (ADA) ASSISTANCE ONLY, CALL (901) 222-2341

I, TEMIKA D. GIPSON / DONNA RUSSELL, Clerk of the Court, Shelby County, Tennessee, certify this to be a true and accurate copy as filed this

20__

TEMIKA D. GIPSON, Clerk / DONNA RUSSELL, Clerk and Master By: _____, D.C.

RETURN OF SERVICE OF SUMMONS

I HEREBY CERTIFY THAT I HAVE SERVED THE WITHIN SUMMONS:

By delivering on the _____ day of _____, 20____ at _____ M. a copy of the summons
and a copy of the Complaint to the following Defendant _____
at _____

Signature of person accepting service

By: _____
Sheriff or other authorized person to serve process

RETURN OF NON-SERVICE OF SUMMONS

I HEREBY CERTIFY THAT I HAVE NOT SERVED THE WITHIN SUMMONS:

To the named Defendant _____
because _____ is (are) not to be found in this County after diligent search and inquiry for the following
reason(s): _____

This _____ day of _____, 20_____.

By: _____
Sheriff or other authorized person to serve process



The Shelby County, Tennessee Circuit Court

Case Style: JANIS FORD VS DELTA BUS LINES

Case Number: CT-3873-22

Type: SUMMONS ISSD TO MISC

A handwritten signature in black ink, appearing to read "Antwain D. Carter".

Deputy Clerk Antwain D Carter, DC

Electronically signed on 10/06/2022 08:41:56 AM

SUMMONS IN CIVIL ACTION

Docket No. _____

☒ Lawsuit
☐ Divorce

Ad Damnum \$ _____

JANIS ANN FORD for the ESTATE of
OSHAUN FORD

Plaintiff(s)

VS

DELTA BUS LINES and MARTHA WILSON

Defendant(s)

TO: (Name and Address of Defendant (One defendant per summons))

Martha Wilson
1298 Wayside Drive
Greenville, Mississippi 38703

or wherever it may be found

Method of Service:

☐ Certified Mail
☐ Shelby County Sheriff
☐ Commissioner of Insurance (\$)
☐ Secretary of State (\$)
☐ Other TN County Sheriff (\$)
☒ Private Process Server
☐ Other

(\$ Attach Required Fees

You are hereby summoned and required to defend a civil action by filing your answer with the Clerk of the Court and

serving a copy of your answer to the Complaint on , Reaves Law Firm, Donna J. Armstard

Plaintiff's

attorney, whose address is 1991 Corporate Ave., Ste 310, Memphis, TN 38104

telephone (901) 417-7166

within THIRTY (30) DAYS after this summons has been served upon you, not including the day of service. If you fail to do so, a judgment by default may be taken against you for the relief demanded in the Complaint.

TEMIKA D. GIPSON, Clerk / W. AARON HALL, Clerk and Master

TESTED AND ISSUED _____ By _____, D.C.

TO THE DEFENDANT:

NOTICE; Pursuant to Chapter 919 of the Public Acts of 1980, you are hereby given the following notice:

Tennessee law provides a ten thousand dollar (\$10,000) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the Clerk of the Court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed. These include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

FOR AMERICANS WITH DISABILITIES ACT (ADA) ASSISTANCE ONLY, CALL (901) 222-2341

I, TEMIKA D. GIPSON / W. AARON HALL, Clerk of the Court, Shelby County, Tennessee, certify this to be a true and accurate copy as filed this

20__

TEMIKA D. GIPSON, Clerk / W. AARON HALL, Clerk and Master By: _____, D.C.

RETURN OF SERVICE OF SUMMONS

I HEREBY CERTIFY THAT I HAVE SERVED THE WITHIN SUMMONS:

By delivering on the _____ day of _____, 20____ at _____ M. a copy of the summons
and a copy of the Complaint to the following Defendant _____
at _____

Signature of person accepting service

By: _____
Sheriff or other authorized person to serve process

RETURN OF NON-SERVICE OF SUMMONS

I HEREBY CERTIFY THAT I HAVE NOT SERVED THE WITHIN SUMMONS:

To the named Defendant _____
because _____ is (are) not to be found in this County after diligent search and inquiry for the following
reason(s): _____

This _____ day of _____, 20_____.

By: _____
Sheriff or other authorized person to serve process



The Shelby County, Tennessee Circuit Court

Case Style: JANIS FORD VS DELTA BUS LINES

Case Number: CT-3873-22

Type: SUMMONS ISSD TO MISC

David Smith, DC

Electronically signed on 09/21/2022 02:19:15 PM